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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,921	08/31/2001	Taketoshi Nakajima	F-11630	8111

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EXAMINER

CHOW, MING

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 08/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/942,921

Applicant(s)

NAKAJIMA, TAKETOSHI

Examiner

Ming Chow

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2-9-04, 12-27-04.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1, 3-6, 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sollee et al (US: 6393288), and in view of Havinis et al (US: 6671377), and further in view of Lee et al (US: 6466560).

Regarding claims 1, 3, 5, 6, 8, 10, Sollee et al teach on item 30 Fig. 1, HLR (claimed “database”).

Sollee et al failed to teach “a database for storing peripheral information and location names”. However, Havinis et al teach on column 1 line 57-61, HLR is a database maintaining IMSI and location information.

Sollee et al teach on column 4 line 33-51, the SCP sends a query for location of the mobile station (MS). Upon the location request, a paging request to the MS is sent to the MS (claimed “transmitting to an objective cellular phone terminal unit”). The MS responds to the paging with IMSI or TMSI (claimed “peripheral information”).

Sollee et al failed to teach “means for searching the database for location information corresponding to the peripheral information”. Sollee et al teach on column 4 line 52-65, the MS

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returns peripheral information to HLR and SCP for determining HomeZone (claimed “name of the location”). There must be a means for searching the HLR for location information.

Sollee et al teach on column 4 line 66-67, the location information is sent back to the SCP where is the transmission source of the request.

Sollee et al failed to teach “report information identifies a base station and electric field information measured by the cellular phone terminal unit”. However, Lee et al teach on column 1 line 29-31, column 2 line 26-42, a continuous wave receiver carried by a vehicle (reads on claimed “cellular phone terminal”) measures the RSSI to determine the location of a base station.

It would have been obvious to one skilled at the time the invention was made to modify Sollee et al to have the “a database for storing peripheral information and location names” and “means for searching the database for location information corresponding to the peripheral information” as taught by Havinis et al such that the modified system of Sollee et al would be able to support the system users a standard database for obtaining location information.

Also, it would have been obvious to one skilled at the time the invention was made to modify Sollee et al to have the “report information identifies a base station and electric field information measured by the cellular phone terminal unit” as taught by Lee et al such that the modified system of Sollee et al would be able to support the system users conveniences of measuring RSSI by the cellular phones.

Regarding claim 4, 9, all rejections as stated in claim 1 above apply.

The SCP of Sollee et al is the claimed “location information console”.

2. Claims 2, 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sollee et al, in view of Havinis et al, in view of Lee et al, and further in view of Mansour (US: 6741582).

Sollee et al teach on column 4 line 36-51, receives from the MS with a page_response that includes IMSI or TMSI (claimed “peripheral information”) and location information.

The modified system of Sollee et al in view of Havinis et al and in view of Lee et al as stated in claim 1 above failed to teach “means for registering the received set of peripheral information and a location name that have been correlated each other to the database”. However, HLP updates (claimed “registering”) its database with current location of the mobile phone.

It would have been obvious to one skilled at the time the invention was made to modify Sollee et al in view Havinis et al and in view of Lee et al to have the “means for registering the received set of peripheral information and a location name that have been correlated each other to the database” as taught by Mansour such that the modified system of Sollee et al in view of Havinis et al would be able to support the system users a better tracking information by updating the database with the current location information.

3. Claims 11, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sollee et al, in view of Havinis et al, in view of Lee et al, and further in view of Tiedemann et al (US: 5940761).

The modified system of Sollee et al in view of Havinis et al and in view of Lee et al as stated in claim 1 above failed to teach “information comprises communication frequency and

color code”. However, Tiedemann et al teach on column 8 line 45-47, information includes frequencies and DCC (Digital Color Code).

It would have been obvious to one skilled at the time the invention was made to modify Sollee et al in view Havinis et al and in view of Lee et al to have the “information comprises communication frequency and color code” as taught by Tiedemann et al such that the modified system of Sollee et al in view of Havinis et al and in view of Lee et al would be able to support the system users conveniences of knowing base station frequency and color code from the report information.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

4. Any inquiry concerning this application and office action should be directed to the examiner Ming Chow whose telephone number is (571) 272-7535. The examiner can normally be reached on Monday through Friday from 8:30 am to 5 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is (571) 272-2600. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to Central FAX Number 571-273-8300.

Patent Examiner

Art Unit 2645

Ming Chow



FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600